

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 IO-14 ISO-00 CIAE-00 COME-00 DODE-00

FMC-04 INR-10 NSAE-00 RSC-01 CG-00 COA-02 DLOS-06

OMB-01 TAR-02 SPC-03 AGR-20 AID-20 LAB-06 OIC-04

SIL-01 STR-08 TRSE-00 CIEP-02 CEA-02 L-03 H-03 PA-04

USIA-15 PRS-01 AF-10 ARA-16 EA-11 NEA-10 DOTE-00

DRC-01 /217 W

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TO SECSTATE WASHDC 2702

INFO AMEMBASSY LONDON

USMISSION USUN NY

USMISSION OECD PARIS

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E.O. 11652: N/A

TAGS: ETRN, UNCTAD, UN

SUBJECT: SHIPPING: U.N. CONFERENCE ON CODE OF CONDUCT
FOR LINER CONFERENCES

1. SUMMARY: FRIENDLY ATMOSPHERE CONTINUED IN SECOND WEEK
OF CONFERENCE WHICH CONFINED MAINLY TO DISCUSSIONS IN DRAFTING
GROUPS. COMMITTEE II HAS TWO DRAFTING GROUPS MEETING SIMUL-
TANEOUSLY, ONE DISCUSSING SECTION B AND C OF DRAFT CODE AND OTHER
SECTIONS D AND E. WORKING GROUP OF COMMITTEE III HAS REACHED TEN-
TATIVE AGREEMENT ON PROCEDURES FOR VOLUNTARY CONCILIATION. WHILE
THERE HAS BEEN SOME PROGRESS ON MINOR ISSUES, MAJOR ISSUES
SUCH AS "CARGO SHARING" "MANDATORY ARBITRATION" AND "ROLE OF
GOVERNMENTS" STILL FAR FROM COMPROMISE. END SUMMARY.

2. DRAFTING GROUP ONE OF COMMITTEE II COMPLETED FIRST
READING OF SECTION B DRAFT CODE. TENTATIVE AGREEMENT
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HAS BEEN REACHED ON SOME PARAGRAPHS AND ALTERNATIVE

TEXTS HAVE BEEN PREPARED ON OTHERS. THERE HAS BEEN MOSEST SUCCESS IN REACHING AGREED LANGUAGE ON PROCEDURAL AND MONOR SUBSTANTIVE ITEMS. HOWEVER, NO SERIOUS EFFORT HAS BEEN MADE TO NEGOTIATE MAJOR DIFFERENCES OVER CARGO SHARING AND ROLE OF GOVERNMENTS.

3. DRAFTING GROUP TWO OF COMMITTEE II HAS COMPLETED INITIAL DISCUSSION OF PARAGRAPHS 54 THROUGH 69 OF THE DRAFT CODE. GROUP UNABLE TO REACH AGREEMENT ON PARAGRAPH 54 ON CRITERIA FOR FREIGHT RATE FIXATION AND PARAGRAPHS 60, 61 AND 62 UNDER GENERAL FRIEGHT RATE INCREASES. SEVERAL OTHER PARAGRAPHS ALSO UNRESLOVED WITH 2 OR 3 ALTERNATIVE TEXTS TABLED REPRESENTING DIFFERENT VIEWS OF VARIOUS GROUPS. ALL TEXTS SUBJECT TO RATIFICATION LATER BY FULL COMMITTEE. DRAFTING GROUP HAS AVOIDED ISSUE OF "GOVERNMENT PARTICIPATION" BY DEFERRING DECISION.

4. WORKING GROUP OF COMMITTEE II HAS REACHED AGREEMENT ON PROCEDURES FOR VOLUNTARY ARBITRATION. BRIEF DISCUSSION OF MANDATORY AND BINDING ARBITRATION IN GROUP B CAUCUS REVEALED THAT CANADA, NETHERLANDS AND APPARENTLY FRG NO LONGER HAVE CONSTITUTIONAL OBJECTIONS TO MANDATORY AND BINDING ARBITRATION. HOWEVER, ALL COUNTRIES OF GROUP B FOR A VARIETY OF REASONS STILL OPPOSE MANDATORY AND BINDING ARBITRATION AS MEANS OF IMPLEMENTING CODE. GROUP OF 77 SPOKESMAN IN CONCILIATORY INTERVENTION INDICATED THAT A UNIVERSALLY ACCEPTABLE WAY MUST BE FOUND TO IMPLEMENT CODE.MILLER

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